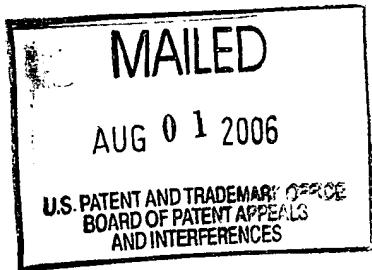


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEVIN A. SEILING and JASON C. SHEPPECK

Application 10/001,730

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on July 27, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

Information Disclosure Statements (IDSs) were filed on September 5, 2003, October 22, 2003 and April 25, 2006. It is not apparent from the record whether the examiner considered the statements submitted or notified appellants regarding why their submissions did not meet the

criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellants of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1) for consideration of the IDSs filed September 5, 2003, October 22, 2003 and April 25, 2006 and notification to appellants regarding the Primary Examiner's decision; and

2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW

Deputy Chief Appeal Administrator
(571) 272-9797

DMS:psb

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